

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA

| | | |
|------------------------|---|---------------------|
| ELIZABETH SINES ET AL. | : | Case No. 3:17-CV-72 |
| Plaintiff | : | Judge MOON |
| | : | |
| -v- | : | |
| JASON KESSLER ET AL. | : | |
| | : | |
| Defendants | | |

MOTION TO DISMISS THE PLAINTIFF'S AMENDED COMPLAINT

Now come Defendants Jason Kessler, Christopher Cantwell, Vanguard America, Robert Ray, Nathan Damigo, Elliott Kline, Identity Evropa, Matthew Heimbach, Matthew Parrott, Traditionalist Worker Party, Jeff Schoep, National Socialist Movement, and Nationalist Front (hereafter "Moving Defendants") and move the Court to dismiss all claims against them pursuant to FRCP 12(b)(6) for failure to state a claim upon which relief can be granted.

Respectfully Submitted,

s/ Elmer Woodard
ELMER WOODARD (VSB 27734)
5661 US Hwy 29
Blairs, Va. 24527
(434) 878-3422
isuecrooks@comcast.net
Trial Attorney for Defendant

S/ James E. Kolenich (PHV)
KOLENICH LAW OFFICE
9435 Waterstone Blvd. #140
Cincinnati OH 45249
Phone: 513.444.2150
Fax: 513.297.6065
e-mail: Jek318@gmail.com

CERTIFICATE OF SERVICE

I hereby certify the above was served via the Court's ECF system on January 26, 2018 upon:

All parties of record. One party is entitled to or has requested service by other means and said party has been served by regular US mail/ electronic mail as follows:

Mr. Michael Enoch Peinovich
PO Box 1069
Hopewell Junction, NY 12533
mpeinovich@gmail.com

s/ Elmer Woodard

E. Woodard (VSB 27734)